



City of Seattle

Department of Planning and Development
Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Project Number: 3012723
Applicant Name: Chris Pardo, PB Elemental for
Rod McClaskey, SOLA 24
Address of Proposal: 109 12th Ave E

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a four-story structure containing 23 residential units. Existing structure to be demolished.

The following approvals are required:

Design Review - Seattle Municipal Code (SMC) Chapter [23.41](#).

Development Standard Departure:

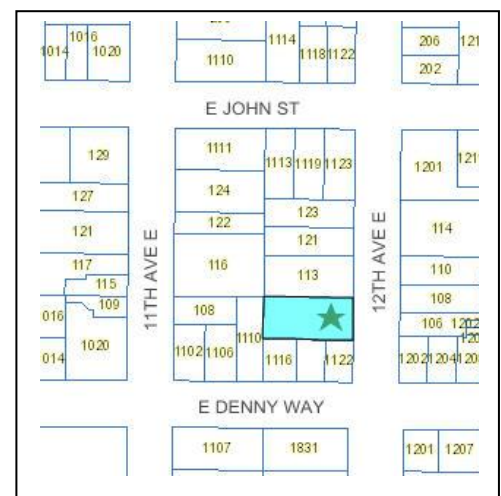
1) **Maximum Façade Length** (SMC 23.45.527)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading, or demolition or
involving another agency with jurisdiction.

BACKGROUND DATA

Site & Vicinity

Site Zone: LR3
Nearby Zones: (North) LR3
(South) LR3, with LR3 RC southeast of the site.
(East) LR3
(West) LR3
Lot Area: +/- 7,723 sq. ft.



Current Development: Multi-family building (single-family conversion).

Access: The site shares an 11-foot wide vehicle access easement with the parcel to the north. This easement will allow for loading access to the building. There is no on-site parking provided in this proposal.

Surrounding Development: South of the site are single-family residences that front onto E Denny Way. North and east of the site are existing single-family residences, converted to multi-family apartments and a mix of multi-family residences.

ECAs: None.

VIEWS

The neighborhood is a fairly dense mix of predominantly residential uses in buildings ranging from single-family to apartments and condominiums. The scale and grain of development means that views are limited. As the site slopes about 6 feet, east to west, and continues to slope to 11th Avenue East, there will be some territorial views of the neighborhood. There will also be typical street views to the east. The upper floor will have neighborhood views until the adjacent sites are redeveloped.

NEIGHBORING DEVELOPMENT

Neighborhood Character: 12th Avenue East is a mix of predominantly residential uses with some ground floor retail uses. Ground floor retail, and some commercial uses on upper floors, is more predominant south of Denny, with more retail uses each block closer to Pine and Pike. The most commercial streets in the neighborhood are Broadway, 3 blocks to the west of the site, and Pike, Pine and 12th, 4 blocks south of the site.

Cal Anderson Park, the major City of Seattle Park on Capitol Hill, is 1 block to the west of the site.

Seattle Central Community College is about 4 blocks to the west and 6 blocks south of the site.

PROJECT DESCRIPTION

The proposed project is for the design and construction of a 4-story multi-family building with approximately 21 residential units. No vehicle parking is required or proposed by the development.

Public Comments

Public comments were invited at the two Design Review public meetings and the Master Use Permit application. Comments from the Design Review meetings are noted within the Design Review process summaries which follow below.

Master Use Permit Application

The applicant revised the design and applied for a Master Use Permit with a design review component on August 2, 2012. The public comment period ended on August 15, 2012. The Land Use Application information is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000¹.

ANALYSIS — DESIGN REVIEW²

Three alternative design schemes were presented at the Early Design Guidance meeting. All of the options include a contemporary model of Capitol Hill living with open plan units, plenty of glass and a recognizable address. Unit will bring loft style living into the context of the LR3 apartment building.

The first Code Compliant scheme is a 19 unit residential structure that holds to the street edge at 12th Ave E, with a maximum allowable (2.0) FAR. This alternative allows for ground floor residential units with stoops facing 12th Ave E and roof decks for west facing units. DISADVANTAGES for the scheme — is the area devoted to building core is too large and results in a loss of one ground floor unit for the residential lobby. There are too many different apartment unit sizes. West facing units on lower floor are too deep. Building construction is too complicated for a Type-V building (too many roof decks over living spaces). No parking.

The second Code Compliant scheme is a 15 unit residential structure that holds to the street edge at 12th Ave E, with a maximum allowable (2.0) FAR. The apartment units are all typical and are a simplified construction form. This alternative allows for ground floor residential units with stoops facing 12th Ave E and roof decks for west facing units. May be able to use one stair exception in SBC (4 units per floor). DISADVANTAGES for the scheme — is the area devoted to building core is too large and results in a loss of one ground floor unit for the residential lobby. The apartments may be too large for 1BR units on Capitol Hill. No parking

The third Preferred scheme (constrained by height and FAR) is a 21 unit residential structure that holds to the street edge as 12th Ave E, with a maximum allowable (2.0) FAR, and allows for shallow front yards at ground floor units. There are variations of unit layout, yet in a typical kit of parts. The apartment units are similar, so construction is a simplified construction form. This plan has the smallest area devoted to building core. Cover ground floor open space for resident use can be provided on the western portion of the site. DISADVANTAGES for the scheme — No lobby. No parking.

¹ <http://www.seattle.gov/dpd/PRC/LocationHours/default.asp>

² Architect's Presentations — at the *Early Design Guidance meeting on January 2, 2012 and the Design Review Recommendation meeting on October 10, 2012*)

PRESENTATION: (at the Recommendation Meeting)

The refined scheme is a residential structure that holds to the street edge — with 15' wide glassy loft fronts — along 12th Ave E and allows for shallow front yards at ground floor units. There are variations of unit layout, yet in a typical kit of parts. The apartment units are similar, so construction is a simplified construction form. This plan has the smallest area devoted to building core. A Biorention cell is located adjacent to the green screen wall along the southern property line. Cover ground floor open space for resident use can be provided on the western portion of the site. No parking.

High quality materials will be used – CorTen steel, tight knot cedar siding, prefinished aluminum or hardy panel, Chroma – pewter finish 2” translucent panel

CLARIFYING QUESTIONS: (at the Recommendation Meeting)

Dan: roof at center looks like helipad, what is it? - It's mechanical stuff

Ric: asked about loading space near dumpster

Ric: asked about interior walls – they will be super insulated walls, separate studs with acoustic insulation between

Chip: asked about materials on north side – they will be cedar rain screen and CorTen, on south side they will be cedar rain screen and aluminum (if budget allows) or hardy panel

Dawn: asked about entry trellis – it will be galvanized steel pipe columns with glass on top, with conduit for lighting; the entry will have a translucent door, CorTen walls and a steel frame

PUBLIC COMMENTS (at Early Design Guidance)

Approximately seven members of the public attended this Early Design Review meeting. The following comments, issues and concerns were raised:

- The property owner north of the site noted that there are existing trees on the southern portion of their property; that they are concerned about. They would like to see the proposed protect or minimize disturbance to the root system of these trees.
- The tenant/building manager north of the site noted they were concerned about the existing/future condition of the sewer connection on the shared vehicle access.
- Both the property owner and tenant/building manager stated they would object to a design that did not give consideration to residential privacy and pedestrian/vehicle safety.
- A southern single-family resident spoke on behalf of the single-family residents along E Denny Way and share their concern with the proposed contemporary models. Those residents prefer a 'pitched roof' design that uses materials/colors found in those structures. A scaling down of the height. Additionally, they would prefer more of a setback for the structure and increased landscaping along the southern portion of the site.

PUBLIC COMMENTS (at the Recommendation Meeting)

- #1 neighborhood representative for 11th Ave. – appreciates response to written comments from architect. Concerned about metal wall on south side and compatibility with existing wood structures. Not sure what material they would like.
- #2 doesn't want length departure granted; site to north has limited sunlight, thinks # of units should be reduced instead. Wanted to know how the loading area to the north would work, incidental use by lot to north?

BOARD DELIBERATION (at the Recommendation Meeting)

- Dawn: are people happy with the resolution of the project? The scale and entry? We should talk about exterior materials, parking and loading – incidental, shared open space and the departure request.
- Dawn: Parking, loading and garbage collection, will happen on existing shared access easement area; it is currently used for garbage collection. Will trucks be able to get under proposed building? Architect answered yes, SDOT and SPU have not voiced concern
- Open space at back:
 - Chip: open space is at back of lot
 - Dan: space looks retro does not see functional aspect to space
 - Dawn: covered and open area, likes covered space
 - Chip: there is a problematic slope on site, has no problem with space, concerned about it becoming a “dog park”
 - Dawn: concerned about people just showing up, maybe units facing space should have buffer from the “public” area
 - Chip: this is not an amenity space, not clear what use but serves as buffer with neighbors
 - Ric: units have upper terrace and rest of space for other residents, may work as is.

Board wants project to provide more privacy for units through landscaping

- Height, Bulk & Scale and Departure:
 - There is concern about light on north side
 - The presentation was criticized for not showing the whole story
 - Need to show how departure will help guidelines
 - Chip: design has much improved. How much shorter would building need to be to be compliant? Concerned about shadows to the north
 - Dawn: likes street faced and materials. Asked if Board is concerned that we have enough info to make decision
 - Chip: Is this departure bettering the project? Thinks project has addressed relationship to neighbors
 - Dan: too bad more information wasn't communicated to design team
 - Dawn: there was no departure in the EDG
 - Chip: thinks granting departure is okay
 - Ric: project is good treatment of skinny site

Materials:

- Board likes the CorTen and wants it to stay as sample shows. The **pre-patina finish should be made a condition.**
- **Using aluminum instead of hardy on the stair tower and penthouse should be a condition.**
- Board like colors
- Landscape elements must stay

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

The Neighborhood specific guidelines are summarized below. For the full text please visit the [Design Review website](#).

Site Planning

A-2 Streetscape Compatibility. *The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.*

A-5 Respect for Adjacent Sites. *Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.*

A-6 Transition Between Residence and Street. *For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.*

At the Early Design Guidance meeting, the Board discussed their need to see a more defined design on the ground floor yards/stoops facing 12th Ave E. Additionally, the south residential entry design/materials must set a ‘high bar’ or ‘magic’ for site and how it relates to the southern adjacent single-family users.

At the Final Recommendation meeting, the Board was generally satisfied with the streetscape compatibility; respect for the adjacent sties; and the transition between the residence and the street. See the applicant’s recommendation packet and the Boards deliberation above.

A-7 Residential Open Space. *Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.*

At the Early Design Guidance meeting, the Board discussed the ‘passive/active’ open space concept for the preferred scheme. At the next meeting a more detailed design and narrative should be presented for the Board’s consideration.

At the Final Recommendation meeting, the Board was generally satisfied with the residential open space. See the applicant’s recommendation packet and the Boards deliberation above.

B. Height, Bulk and Scale

B-1 Height, Bulk, and Scale Compatibility. *Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.*

At the Early Design Guidance meeting, the Board discussed the proposal in relationship to the southern adjacent development. Their deliberation/guidance did note the need for ‘scaling down’ or providing a sensitive design to the near-by less intensive uses.

At the next Board meeting, the applicant should illustrate how the ‘scaling elements’ or architectural components create a step in the perceived height, bulk, and scale between anticipated development potential of the adjacent zones.

At the Final Recommendation meeting, the Board was generally satisfied with the height, bulk, and scale compatibility of the proposal. See the applicant’s recommendation packet and the Boards deliberation above.

C. Architectural Elements and Materials
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C-1 Architectural Context. *New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.*

At the Early Design Guidance meeting, the Board discussed the architectural context of the proposal. They were not in agreement with the public comments that the ‘pitched roof’ architectural style should be factored into the style for the proposal. The proposed ‘flat roof’ design exists along the 12th Ave E street pattern. However, the Board did note that the existing context does have architectural elements that could/should be incorporated into the refined design.

At the Final Recommendation meeting, the Board was generally satisfied with the architectural elements. See the applicant’s recommendation packet and the Boards deliberation above.

C-2 Architectural Concept and Consistency. *Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.*

Capitol Hill-Specific Supplemental Guidance:

- *Use materials and design that is compatible with the structures in the vicinity if those represent the desired neighborhood character.*

At the Early Design Guidance meeting, the Board discussed that the structure should relate to the building forms and architectural concepts found on the 12th Ave E block front. ‘Extract the positive elements’ — massing, material patterns, human scale treatments, existing flat roof elements.

At the Final Recommendation meeting, the Board was generally satisfied with the architectural concept. See the applicant’s recommendation packet and the Boards deliberation above.

C-4 Exterior Finish Materials. *Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.*

Capitol Hill-Specific Supplemental Guidance:

- *Use materials that are consistent with the existing or intended neighborhood character, including brick, cast stone, architectural stone, terracotta details, and concrete that incorporates texture and color.*
- *Consider each building as a high-quality, long-term addition to the neighborhood; exterior design and materials should exhibit permanence and quality appropriate to the Capitol Hill neighborhood.*
- *The use of applied foam ornamentation and EIFS (Exterior Insulation & Finish System) is discouraged, especially on ground level locations.*

At the Final Recommendation meeting, the Board was generally satisfied with the exterior finish materials. See the applicant's recommendation packet and the Boards deliberation above.

D. Pedestrian Environment

- D-1 Pedestrian Open Spaces and Entrances.** *Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.*

Capitol Hill-Specific Supplemental Guidance:

- *Building entrances should emphasize pedestrian ingress and egress as opposed to accommodating vehicles.*

At the Final Recommendation meeting, the Board was generally satisfied with the pedestrian open spaces and the entrances. See the applicant's recommendation packet and the Boards deliberation above.

- D-7 Personal Safety and Security.** *Project design should consider opportunities for enhancing personal safety and security in the environment under review.*

Capitol Hill-Specific Supplemental Guidance:

- *Consider: pedestrian-scale lighting, but prevent light spillover onto adjacent properties; architectural lighting to complement the architecture of the structure; transparent windows allowing views into and out of the structure—thus incorporating the “eyes on the street” design approach’*
- *Provide a clear distinction between pedestrian traffic areas and commercial traffic areas through the use of different paving materials or colors, landscaping, etc.*

At the Final Recommendation meeting, the Board was generally satisfied with the personal safety and security of the proposal. See the applicant's recommendation packet and the Boards deliberation above.

E. Landscaping

- E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites.** *Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.*

E-2 *Landscaping to Enhance the Building and/or Site.* *Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.*

E-3 *Landscape Design to Address Special Site Conditions.* *The landscape design should take advantage of special on-site conditions*

Capitol Hill-Specific Supplemental Guidance:

- *Maintain or enhance the character and aesthetic qualities of neighborhood development to provide for consistent streetscape character along a corridor.*
- *Supplement and complement existing mature street trees where feasible.*
- *Incorporate street trees in ... residential environments in addition to trees onsite.*
- *landscape treatments that include street trees.*

At the Final Recommendation meeting, the Board was generally satisfied with the landscaping. See the applicant's recommendation packet and the Boards deliberation above.

DECISION – DESIGN REVIEW

The Design Review Board conducted a Final Recommendation Meeting to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscaping plans and computer renderings of the proposed project were presented for the Board members' consideration.

BOARD RECOMMENDATIONS

The recommendation summarized below was based on the design review packet and the presentation by the applicant at the Design Review meetings. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, three (all those present) of the Design Review Board recommended APPROVAL of the subject design. The Board stated the following areas need to be worked on further in conjunction with DPD staff:

- **The CorTen materials shall have the patina finish applied prior to installation on the exterior of the structure.**
- **Use aluminum instead of hardy on the stair tower and penthouse.**
- **Provide more privacy for western ground-level units through landscaping.**

After considering the site and its context, hearing public comment, considering the previously identified design priorities, reviewing the plans and renderings showing the proposed revisions, and reviewing the requested departures, the Design Review Board members **unanimously recommended approval of the project's design and recommended approval of the three departures requested, as outlined in the matrix below.** Five Design Review Board members attended the recommendation meeting. The recommendations summarized above were based on the packets/plans submitted.

DEVELOPMENT STANDARD	DEPARTURE REQUEST/ PROPOSAL	JUSTIFICATION	ACTION
SMC 23.45.527 Façade Length. B. Maximum façade length in Lowrise zones. 1. The maximum combined length of all portions of facades within 15 feet of a lot line that is neither a rear lot line nor a street lot line shall not exceed 65 percent of the length of that lot line, except as specified in SMC 23.45.527.B.2.	To allow a façade length (face along north and south property lines) greater than 65% of property line length. Property line is 128'-0", therefore 65% is 83'-2". Requested building length is 100'-0".	A great deal of attention has been given to the three-dimensional composition of the structure, with each façade arranged to respond to light, view, climate, and context. The result is a more visually interesting and varied exterior facade composition, thus making the structure a better neighbor.	The Board voted unanimously to recommend approval of all requested departures needed by the proposal.

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed recommendations, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the recommendations and decision of the Design Review Board made by the members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multi-family and Commercial Buildings, and is consistent with SEPA requirements or state and federal laws. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design with the conditions summarized at the end of this Decision.

The Director of DPD has reviewed the recommendations of the Design Board members present at the final Design Review recommendation meeting and finds that the Board acted within its authority and the Board's recommendations are consistent with the guideline's and do not conflict with regulatory requirements.

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The Director of DPD has reviewed the recommendations of the Design Board members present at the final Design Review recommendation meeting and finds that the Board acted within its authority and the Board's recommendations are consistent with the guideline's and do not conflict with regulatory requirements.

CONDITIONS-DESIGN REVIEW

Prior to Issuance of the Master Use Permit and future Building Permits

1. A the following needs to be noted on the Master Use Permit plans and the future Building Permit plans:
 - The CorTen materials shall have the patina finish applied prior to installation on the exterior of the structure.
 - Use aluminum instead of hardy on the stair tower and penthouse.
 - Provide more privacy for western ground-level units through landscaping.

During Construction

2. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by the Land Use Planner assigned to the project.

Prior to Issuance of the Certificate of Occupancy

3. Compliance with all images and text on the MUP drawings, as modified by this decision and approved by the Land Use Planner, shall be verified by the Land Use Planner assigned to this project. An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that substantial compliance has been achieved.

Signature: (signature on file)
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development

Date: December 6, 2012